

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 29-CA-248216	Date Filed 9/12/19

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Bright Horizons Children's Centers LLC	b. Tel. No. 617-673-8130
	c. Cell No. 617-673-8130
	f. Fax No. 617-673-8629
d. Address (Street, city, state, and ZIP code) Mary D. Lindsay Child Care Center: One Bungtown Rd., Cold Spring Harbor, NY 11724 Corporate HQ: 200 Talcott Ave South, Watertown MA 02472	e. Employer Representative Nicholas Valentine, Senior Counsel
	g. e-mail nvalentine@brighthorizons.com
	h. Number of workers employed 15+
i. Type of Establishment (factory, mine, wholesaler, etc.) Child Day Care	j. Identify principal product or service Day care center: infants/toddlers/preschool age children
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) In or around (b) (6), (b) (7)(C) 2019, the above named employer illegally retaliated against its employee, (b) (6), (b) (7)(C), for engaging in protected concerted activity, in violation of the NLRA Section 7 & 8(a)(1), and placed (b) (6), (b) (7)(C) on unpaid administrative leave on (b) (6), (b) (7)(C) 2019, and ultimately terminated (b) (6), (b) (7)(C) employment on (b) (6), (b) (7)(C) 2019.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) (b) (6), (b) (7)(C)	
4a. Address (Street and number, city, state, and ZIP code) (b) (6), (b) (7)(C)	4b. Tel. No.
	4c. Cell No. (b) (6), (b) (7)(C)
	4d. Fax No.
	4e. e-mail (b) (6), (b) (7)(C)
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  (signature of representative or person making charge) Bradley Gerstman, Gerstman Schwartz LLP (Print/type name and title or office, if any) 1399 Franklin Ave., Suite 200, Garden City NY 11530 Address Date 09/11/2019	
Tel. No. 516-880-8170	
Office, if any, Cell No.	
Fax No. 516-880-8171	
e-mail bgerstman@gcrstmanschwartz.com	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlr.gov
Telephone: (718)330-7713
Fax: (718)330-7579

November 8, 2019

Bradley Gerstman
1399 Franklin Avenue
Suite 200
Garden City, NY 11530

Re: Bright Horizons Children's Centers LLC
Case 29-CA-248216

Dear Gerstman:

We have carefully investigated and considered your charge that Bright Horizons Children Centers LLC and Bright Horizons Children's Centers LLC have violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlr.gov and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.nlr.gov. You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **November 22, 2019**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than November 21, 2019. **If an appeal is postmarked or given to a**

delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before November 22, 2019**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 22, 2019, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

KATHY DREW-KING
Regional Director

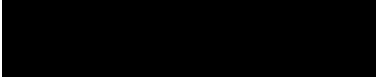
Enclosure

cc: Alan Model, ESQ.
Littler Mendelson, P.C.
One Newark Center,
1085 Raymond Blvd., 8th Floor
Newark, NJ 07102-5235

Bright Horizons Children Centers LLC
Mary D. Lindsay Child Care Center
One Bungtown Road
Cold Spring Harbor, NY 11724

NICHOLAS W. VALENTINE, Attorney
BRIGHT HORIZONS FAMILY
SOLUTIONS
200 Talcott Ave
Watertown, MA 02472-5705

(b) (6), (b) (7)(C)

A solid black rectangular redaction box covering the text below the (b) (6), (b) (7)(C) label.

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

Date Filed

29-CA-246963

8/21/19

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Bright Horizons Family Solutions		b. Tel. No. (201) 681-1084
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 200 Talcott Avenue South MA Watertown 02472-____	e. Employer Representative Tammy J. Chuprevich Senior Vice President, Operatins	g. e-Mail tchuprevich@brighthorizons.com
		h. Number of workers employed 50
i. Type of Establishment (factory, mine, wholesaler, etc.) Schools	j. Identify principal product or service Daycare	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Oriana Vigliotti
Title:
United Federation of Teachers, Local 2, AFT, AFL-CIO

4a. Address (Street and number, city, state, and ZIP code)

52 Broadway 9th Floor
NY New York 10004-____4b. Tel. No.
(212) 228-33824c. Cell No.
(718) 213-14324d. Fax No.
(212) 228-92534e. e-Mail
ovigliot@nysutmail.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By Oriana Vigliotti
(signature of representative or person making charge)Oriana Vigliotti
Title:
(Print/type name and title or office, if any)Tel. No.
(212) 228-3382Office, if any, Cell No.
(717) 821-3143Fax No.
(212) 228-9253e-Mail
ovigliot@nysutmail.org52 Broadway 9th Floor
Address New York NY 10004-____08/21/2019 13:50:01
(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by maintaining work rules that prevent or discourage employees from engaging in protected concerted activities.

Work Rule
Blanket no button/no union insignia allowed rule

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
SETTLEMENT AGREEMENT

IN THE MATTER OF

Bright Horizons Children's Centers LLC

Case 29-CA-246963

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

POSTING OF NOTICE TO EMPLOYEES— After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of the Charged Party will then sign and date those Notices and immediately post them by the time clock at the Employer's facility located at 345 Adams Street, Brooklyn, NY and all places where the Charged Party typically posts notices to employees. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting.

E-MAILING NOTICE - The Charged Party will email a copy of the signed Notice in English and in additional languages if the Regional Director decides that it is appropriate to do so, to all employees who work at the facility located at 345 Adams Street, Brooklyn, NY. The message of the e-mail transmitted with the Notice will state: "We are distributing the Attached Notice to Employees to you pursuant to a Settlement Agreement approved by the Regional Director of Region 29 of the National Labor Relations Board in Case 29-CA-246963." The Charged Party will forward a copy of that e-mail, with all of the recipients' e-mail addresses, to the Region's Compliance Officer at ellen.farben@nlrb.com.

COMPLIANCE WITH NOTICE — The Charged Party will comply with all the terms and provisions of said Notice.

NON-ADMISSIONS CLAUSE – By entering into this Settlement Agreement, the Charged Party does not admit that it has violated the National Labor Relations Act.

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case(s), including all allegations covered by the attached Notice to Employees made part of this agreement, and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to said evidence.

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement original

notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes _____ No _____

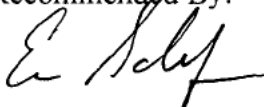
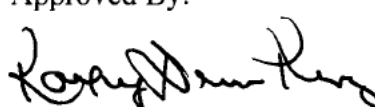
Initials

Initials

PERFORMANCE — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director.

The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will issue a Complaint that includes the allegations covered by the Notice to Employees, as identified above in the Scope of Agreement section, as well as filing and service of the charge(s), commerce facts necessary to establish Board jurisdiction, labor organization status, appropriate bargaining unit (if applicable), and any other allegations the General Counsel would ordinarily plead to establish the unfair labor practices.

NOTIFICATION OF COMPLIANCE — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

Charged Party Bright Horizons Children's Centers LLC		Charging Party United Federation of Teachers, Local 2, AFT, AFL-CIO			
By:	Name and Title	Date	By:	Name and Title	Date
/s/ John G. Casagrande, General Counsel		10-23-19	/s/ Oriana Vigliotti, Attorney for Charging Party		10-23-19
Print Name and Title below			Print Name and Title below		
Recommended By:		Date	Approved By:		Date
		10-23-19			10/24/2019
ERIN SCHAEFER Field Attorney			KATHY DREW-KING Regional Director, Region 29		

(To be printed and posted on official Board notice form)

SECTION 7 OF THE NATIONAL LABOR RELATIONS ACT GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT interfere with restrain or coerce you in the exercise of the above rights.

You have the right to wear union buttons and other union insignia while you are at work and **WE WILL NOT** unlawfully tell you that you cannot wear union buttons at work.

WE WILL NOT maintain or enforce an overly broad dress code policy that unlawfully prohibits you from wearing union buttons or other union insignia at work.

WE WILL NOT in any like or related manner unlawfully interfere with your rights under Section 7 of the Act.

WE WILL rescind the portion of the dress code policy that unlawfully prohibits you from wearing union buttons or other union insignia at work and **WE WILL** post the updated lawfully worded policy on our employee portal within 60 days of the posting of this notice and notify employees of the updated policy at staff meetings to be held within 90 days of the posting of this notice.

Bright Horizons Children's Centers LLC

(Employer)

Dated: _____

By: _____

(Representative)

(Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-844-762-NLRB (1-844-762-6572). Hearing impaired callers who wish to speak to an Agency representative should contact the Federal Relay Service (link is external) by visiting its website at <https://www.federalrelay.us/itv> (link is external), calling one of its toll free numbers and asking its Communications Assistant to call our toll free number at 1-844-762-NLRB.

Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Telephone: (718)330-7713
Hours of Operation: 8:15 a.m. to 4:45 p.m.

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.

CERTIFICATION OF COMPLIANCE
(PART ONE)

RE: Bright Horizons Children's Centers LLC
Case 29-CA-246963

(If additional space is needed to provide a full response, attach a sheet(s) with the necessary information.)

Physical Posting

The signed and dated Notice to Employees in the above matter was posted on (date) November 12, 2019 at the following locations: (List address (es) and specific locations of posting) 345 Adams Street, Brooklyn NY 11201. First posting is placed in lobby next to Employee time clock. Second posting is located in the staff lunch room on the second floor.

Intranet Posting

The signed and dated Notice to Employees in the above matter was posted on the Employer's Intranet/Website on (date) N/A. A copy of the intranet/website posting is attached.

Electronic Distribution

The signed and dated Notice to Employees in the above captioned matter was distributed electronically on (date) November 12, 2019 by the following means. (State means of distribution and attach proof.)

The notice was sent via email to all staff from (b) (6), (b) (7)(C) email. (See attached)

Mailing

The signed and dated Notice to Employees in the above captioned matter was mailed on (date) N/A to all current and former bargaining unit employees who were employed at any time since (COMPLIANCE OFFICER FILL IN TIME FRAME). A copy of the list of names and addresses of bargaining unit employees to whom the Notices were mailed is attached.

I have completed this Certification of Compliance and state under penalty of perjury that it is true and correct.

CHARGED PARTY (b) (6), (b) (7)(C)

By:

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

Title:

(b) (6), (b) (7)(C)

Date:

November 12, 2019

This form should be returned to the Regional Office/Compliance Officer, together with ONE/TWO original Notice, dated and signed in the same manner as those posted. If the Certification of Compliance Part One and signed Notice is returned via e-file or e-mail, no hard copies of the Certification of Compliance Part One or Notice are required.

CERTIFICATION OF COMPLIANCE
(PART TWO)

RE: **Bright Horizons Children's Centers LLC**
Case 29-CA-246963

Notice Reading

The Notice to Employees in the above captioned matter was read on (date) N/A
by N/A to all current employees in the following languages:
(Responsible official's name and title)
N/A

Backpay

On (date) N/A, the Employer made payment to the employee(s) named in the Settlement Agreement and/or Notice to Employees in the amounts set forth therein. Proof of payment is attached.

On (date) N/A, the Employer completed the Report to Social Security Administration and submitted it to:

National Labor Relations Board, Region 29
Attn: Kathy Drew-King-Regional Director
Two Metrotech Center, Suite 5100
Brooklyn, NY 11201

Reinstatement

On (date) N/A, the Employer offered reinstatement to the employee(s) named in the Settlement Agreement and/or Notice to Employees. A copy of the offer(s) of reinstatement is/are attached.

Expungement of Records

On (date) N/A, the Employer expunged from its records any reference to the (discharge)(discipline) and notified the employee(s) that it will not be used against (him)(her)(them) in any way. A copy/copies of the letter(s) of expungement is/are attached.

Rules rescission/revision

On (date) January 6, 2020, the Employer (rescinded)(revised) the overly broad rules that are the subject of the Settlement Agreement and referenced in the Notice to Employees.

On (date) January 6, 2020, the Employer notified employees that the rules that are the subject of the Settlement Agreement and referenced in the Notice to Employees have been (rescinded)(revised).

Unilateral Changes

On (date) N/A, the Union requested rescission of the following unilateral changes which are the subject of the Settlement Agreement and referenced in the Notice to Employees: _____
_____; and

On (date) N/A, the Employer rescinded the unilateral changes referenced above.

On (date) N/A, the Employer notified the Union/employees that the unilateral changes referenced above have been rescinded.

Information Provided

On (date) N/A, the Employer provided the information which is the subject of the Settlement Agreement and referenced in the Notice to Employees to _____

Bargaining

On (date) N/A, the Union requested bargaining as provided for in the Settlement and referenced in the Notice to Employees; and

On (date) N/A, the parties agreed to meet on (dates) _____ for bargaining.

Periodically provide the Region with written updates on the progress of negotiations.

I have completed this Certification of Compliance and state under penalty of perjury that it is true and correct.

CHARGED PARTY/RESPONDENT

(b) (6), (b) (7)(C)

By: _____

Title: _____

Date: 1/15/20


This form should be returned to the Regional Office/Compliance Officer. If the Certification of Compliance Part Two and signed Notice is returned via e-file or e-mail, no hard copy of the Certification of Compliance Part Two is required.

CONFIRMATION OF 60-DAY POSTING

Bright Horizons Children's Centers LLC
Case 29-CA-246963

The Notice to Employees provided by the National Labor Relations Board in the above matter remained continuously and conspicuously posted for at least 60 days.

CHARGED PARTY/RESPONDENT

By:  John G. Carasronda

Title: General Counsel

Date: 1/23/20



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlrb.gov
Telephone: (718)330-7713
Fax: (718)330-7579

January 24, 2020

Robert J. Guidotti, Esq.
Jackson Lewis P.C.
44 South Broadway
14th Floor
White Plains, NY 10601

Re: Bright Horizons Children's Centers LLC
Case 29-CA-246963

Dear Mr. Guidotti:

The above-captioned case has been closed on compliance. Please note that the closing is conditioned upon continued observance of the informal Settlement Agreement, which includes notifying employees of the updated dress code policy at staff meetings by February 12, 2020.

Very truly yours,

/s/

Kathy Drew-King
Regional Director

cc: Tammy J. Chuprevich, Senior Vice
President, Operatins
Bright Horizons Children's Centers LLC
200 Talcott Avenue South
Watertown, MA 02472

Oriana Vigliotti
United Federation of Teachers, Local 2,
AFT, AFL-CIO
52 Broadway
9th Floor
New York, NY 10004

INTERNET
FORM NLRB-501
(2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

29-CA-245421

Date Filed

7/24/2019

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Bright Horizons Family Solutions		b. Tel. No. (201) 681-1084
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 200 Talcott Avenue South MA Watertown 02472-____	e. Employer Representative Tammy J. Chuprevich Senior Vice President, Operations	g. e-Mail tchuprevich@brighthorizons.com
		h. Number of workers employed 50
i. Type of Establishment (factory, mine, wholesaler, etc.) Schools	j. Identify principal product or service Daycare	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 5 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Oriana Vigliotti Title:
United Federation of Teachers, Local 2, AFT, AFL-CIO

4a. Address (Street and number, city, state, and ZIP code)

52 Broadway 9th Floor
NY New York 10004-____

4b. Tel. No.
(212) 228-3382

4c. Cell No.
(718) 213-1432

4d. Fax No.
(212) 228-9253

4e. e-Mail
ovigliot@nysutmail.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By Oriana Vigliotti
(signature of representative or person making charge)

Oriana Vigliotti
Title: Attorney
(Print/type name and title or office, if any)

Tel. No.
(212) 228-3382

Office, if any, Cell No.
(718) 213-1432

Fax No.
(212) 228-9253

e-Mail
ovigliot@nysutmail.org

52 Broadway 9th Floor
Address New York NY 10004-

07/24/2019 13:17:47
(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
First Amended CHARGE AGAINST EMPLOYER

FORM EXEMPT UNDER 44 U.S.C. 3512

DO NOT WRITE IN THIS SPACE

Case
29-CA-245421

Date Filed
8/20/19

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Bright Horizons Family Solutions		b. Tel. No. (201) 681-1084
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 200 Talcott Avenue South MA Watertown 02472-____	e. Employer Representative Tammy J. Chuprevich Senior Vice President, Operations	g. e-Mail tchuprevich@briqhthorizons.com
		h. Number of workers employed 50
i. Type of Establishment (factory, mine, wholesaler, etc.) Schools	j. Identify principal product or service Daycare	

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 5 and (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

-See additional page-

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Oriana Vigliotti
Unified Federation of Teachers, Local 2, AFT, AFL-CIO

4a. Address (Street and number, city, state, and ZIP code)

52 Broadway 9th Floor
NY New York 10004-____

4b. Tel. No.
(212) 228-3382
4c. Cell No.
(718) 213-1432
4d. Fax No.
(212) 228-9253
4e. e-Mail
ovigliotti@nysutmail.org

6. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By


(signature of representative or person making charge)

Oriana Vigliotti
Title: Attorney
(Print/type name and title or office, if any)

52 Broadway 9th Floor
Address: New York NY 10004-____

8/20/19
(date)

Tel. No.
(212) 228-3382
Office, if any, Cell No.
(718) 213-1432
Fax No.
(212) 228-9253
e-Mail
ovigliotti@nysutmail.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

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Basis of the Charge

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees.

The Employer did so by failing to provide the Union with notice and an opportunity to bargain over the suspension of (b) (6), (b) (7)(C)

8(a)(1) and (3)

The Employer suspended employee (b) (6), (b) (7)(C) on (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) 2019, in retaliation for (b) (6), (b) (7)(C) protected concerted activity in violation of the Act.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

FORM EXEMPT UNDER 44 U.S.C. 3512

DO NOT WRITE IN THIS SPACE

Case

10-CA-205217

Date Filed

8/28/17

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer

Bright Horizons Children Centers LLC

b. Tel. No. 617-673-8000

c. Cell No.

f. Fax No.

d. Address (Street, city, state, and ZIP code)
200 Talcott Av, Watertown, MA
02472-5705

e. Employer Representative
Lori Little
Regional Manager

g. e-Mail

h. Number of workers employed
50

i. Type of Establishment (factory, mine, wholesaler, etc.)
Childcare Facility

j. Identify principal product or service
Childcare Services

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On or about (b) (6), (b) (7)(C) 2017 the above-named employer, through (b) (6), (b) (7)(C) disciplined (reprimanded) employee (b) (6), (b) (7)(C) because of and/or in order to discourage (b) (6), (b) (7)(C) protected concerted activities. The employer violated its legally binding agreement established through the "Bright Horizons Family Employee Handbook" Which violated Bright Horizons commitment to provide a safe work environment free of unlawful harassment and discrimination. (pages 12 & 13)

Also, within the past six months the above-named employee maintained an overly broad and unlawful confidentiality rule.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No.

4c. Cell No. (b) (6), (b) (7)(C)

4d. Fax No.

4e. e-Mail

(b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Tel. No. (b) (6), (b) (7)(C)

Office, if any, Cell No.

Fax No.

e-Mail

(b) (6), (b) (7)(C)

By (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(Print/type name and title or office, if any)

Address (b) (6), (b) (7)(C)

8/28/17
(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the public is voluntary; however, failure to provide the information may result in the NLRB being unable to process the charge.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 11
4035 University Pkwy Ste 200
Winston Salem, NC 27106-3275

Agency Website: www.nlrb.gov
Telephone: (336)631-5201
Fax: (336)631-5210

September 6, 2017

Steven A. Nigh, Esq.
Littler Mendelson, P.C.
100 N. Tryon St, Ste 4150
Charlotte, NC 28202-4025

Mark W. Schneider, Esq.
Littler Mendelson, P.C.
80 South 8th Street, Suite 1300
Minneapolis, MN 55402-2136

Re: Bright Horizons Children Centers LLC
Case 10-CA-205217

Dear Mr. Nigh, Mr. Schneider:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

John D. Doyle, Jr.
Regional Director

By:

A handwritten signature in black ink, appearing to read "Scott C. Thompson", is written over a horizontal line.

Scott C. Thompson
Officer in Charge

cc: Lori Little, Regional Manager
Bright Horizons Children Centers LLC
200 Talcott Ave
Watertown, MA 02472-5705

(b) (6), (b) (7)(C)

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 10, SUBREGION 11**

**BRIGHT HORIZONS CHILDREN
CENTERS LLC**

and

(b) (6), (b) (7)(C), an Individual

**Cases 10–CA–196647
10–CA–203494
10–CA–203824**

**ORDER CONSOLIDATING CASES,
CONSOLIDATED COMPLAINT, AND NOTICE OF HEARING**

Pursuant to Section 102.33 of the Rules and Regulations of the National Labor Relations Board (the Board) and to avoid unnecessary costs or delay, **IT IS ORDERED** that Case 10–CA–196647, filed by (b) (6), (b) (7)(C), an individual, against Bright Horizons Children Centers LLC (Respondent), in which a Complaint and Notice of Hearing issued on July 21, 2017, is consolidated with Cases 10–CA–203494 and 10–CA–203824, filed by (b) (6), (b) (7)(C) against Respondent.

This Order Consolidating Cases, Consolidated Complaint, and Notice of Hearing, which is based on these charges, is issued pursuant to Section 10(b) of the National Labor Relations Act, 29 U.S.C. § 151 et seq. (the Act), and Section 102.15 of the Board’s Rules and Regulations, and alleges Respondent has violated the Act as described below.

1.

(a) (b) (6), (b) (7)(C) filed the charge in Case 10–CA–196647 on April 11, 2017, and a copy was served on Respondent by U.S. mail on April 12, 2017.

(b) (b) (6), (b) (7)(C) filed the charge in Case 10–CA–203494 on August 1, 2017, and a copy was served on Respondent by U.S. mail on August 2, 2017.

(c) (b) (6), (b) (7)(C) filed the amended charge in Case 10–CA–203494 on August 15, 2017, and a copy was served on Respondent by U.S. mail on August 16, 2017.

(d) (b) (6), (b) (7)(C) filed the charge in Case 10–CA–203824 on August 7, 2017, and a copy was served on Respondent by U.S. mail on August 7, 2017.

(e) (b) (6), (b) (7)(C) filed the amended charge in Case 10–CA–203824 on August 15, 2017, and a copy was served on Respondent by U.S. mail on August 16, 2017.

2.

At all material times, Respondent has been a Delaware limited liability company that provides childcare and education services at locations throughout the United States, including from its childcare center at the Moses H. Cone Memorial Hospital in Greensboro, North Carolina.

3.

In conducting the business operations described above in paragraph 2, Respondent annually derives gross revenues in excess of \$250,000, and annually purchases and receives products, goods, and materials valued in excess of \$5000 directly from points outside the State of North Carolina.

4.

At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

5.

(a) At all material times, the following individuals held the positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act and agents of Respondent within the meaning of Section 2(13) of the Act:

(b) (6), (b) (7)(C)

(b) (i) At all material times until a date after (b) (6), (b) (7)(C) 2017, the precise date of which is unknown to the General Counsel, (b) (6), (b) (7)(C) held the position of Respondent's (b) (6), (b) (7)(C).

(ii) Since a date after (b) (6), (b) (7)(C) 2017, the precise the date of which is unknown to the General Counsel, (b) (6), (b) (7)(C) has been a "management employee" of Respondent.

(iii) At all material times, including about (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) 2017, (b) (6), (b) (7)(C) has been a supervisor of Respondent within the meaning of Section 2(11) of the Act and an agent of Respondent within the meaning of Section 2(13) of the Act.

(c) About (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), 2017, (b) (6), (b) (7)(C) held the position of (b) (6), (b) (7)(C) of Respondent and on those dates was, and at all material times has been, a supervisor of Respondent within the meaning of Section 2(11) of the Act and an agent of Respondent within the meaning of Section 2(13) of the Act.

6.

About (b) (6), (b) (7)(C) 2017, Respondent's employee (b) (6), (b) (7)(C) solicited support from other employees regarding a workplace safety issue and concertedly complained to Respondent about the workplace safety issue.

7.

- (a) About (b) (6), (b) (7)(C) 2017, Respondent disciplined (b) (6), (b) (7)(C).
- (b) About (b) (6), (b) (7)(C) 2017, Respondent placed (b) (6), (b) (7)(C) on administrative leave.
- (c) About (b) (6), (b) (7)(C) 2017, Respondent discharged (b) (6), (b) (7)(C).

8.

Respondent engaged in the conduct described above in paragraph 7 because (b) (6), (b) (7)(C) engaged in the conduct described above in paragraph 6 and to discourage employees from engaging in these or other concerted activities.

9.

Respondent engaged in the conduct described above in paragraph 7(b) and 7(c), because (b) (6), (b) (7)(C) filed charges in Cases 10-CA-196647, 10-CA-200964, and 10-CA-202066.

10.

By the conduct described above in paragraphs 7 and 8, Respondent has been interfering with, restraining and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

11.

By the conduct described above in paragraphs 7(b), 7(c), and 9, Respondent has been discriminating against employees for filing charges or giving testimony under the Act in violation of Section 8(a)(1) and (4) of the Act.

12.

The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

REMEDIES

In order to fully remedy the unfair labor practices set forth above in paragraphs 7 through 11, the General Counsel seeks an order requiring that the discriminatee be made whole, including reasonable consequential damages incurred as a result of the Respondent's unlawful conduct.

The General Counsel further seeks all other relief as may be just and proper to remedy the unfair labor practices alleged.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the consolidated complaint. The answer must be **received by this office on or before December 4, 2017, or postmarked on or before December 3, 2017.** Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically through the Agency's website. To file electronically, go to www.nlr.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is

unable to receive documents for a continuous period of more than two hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a PDF document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a PDF file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the consolidated complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT at 10:00 a.m., on December 6, 2017, in the Paris Favors Jr. Hearing Room, National Labor Relations Board Subregion 11, 4035 University Parkway, Suite 200, Winston-Salem, North Carolina, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this consolidated complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668.

The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated: November 20, 2017



Scott C. Thompson
Acting Regional Director
National Labor Relations Board
Region 10, Subregion 11
4035 University Parkway, Suite 200
Winston-Salem, NC 27106

Attachments

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 10, SUBREGION 11**

**BRIGHT HORIZONS CHILDREN
CENTERS LLC,**

and

(b) (6), (b) (7)(C), an Individual,

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)
)
)
)
)

Case No. 10-CA-196647

RESPONDENT'S ANSWER AND DEFENSES TO COMPLAINT

In answer to the Complaint and Notice of Hearing issued in this matter, Respondent Bright Horizons Children Centers LLC (Respondent) hereby states, as follows:

Answering the unnumbered introductory paragraph of the Complaint, Respondent admits that (b) (6), (b) (7)(C) has alleged Respondent engaged in unfair labor practices as set forth in the National Labor Relations Act, 29 U.S.C. § 151, et seq. (the Act), but Respondent denies that it has engaged in unfair labor practices as set forth in the Act. Further answering, Respondent admits that the General Counsel issued this Complaint pursuant to Section 10(b) of the Act and § 102.15 of the Rules and Regulations of the National Labor Relations Board, but denies that (b) (6), (b) (7)(C) or the General Counsel is entitled to any relief whatsoever, and denies the remaining allegations set forth in the unnumbered introductory paragraph of the Complaint.

1. Respondent admits the allegations in Paragraph 1.
2. Respondent admits the allegations in Paragraph 2.
3. Respondent admits the allegations in Paragraph 3.
4. Respondent admits the allegations in Paragraph 4.
5. As to the allegations in each subpart of Paragraph 5:
 - a. Respondent admits that the individuals listed in Paragraph 5(a) have the job titles attributed to them. Respondent admits that (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) are supervisors of Respondent under Section 2(11) of the Act and agents of

Respondent under Section 2(13) of the Act. Admits (b) (6), (b) (7)(C) is a supervisor under Section 2(11) of the Act, but denies (b) (6), (b) (7)(C) is Respondent's agent under Section 2(13) of the Act.

- b. Respondent admits the allegations in Paragraph 5(b)(i), (ii), and (iii).
- c. Respondent admits the allegations in Paragraph 5(c).
- 6. Respondent denies the allegations in Paragraph 6.
- 7. Respondent admits the allegations in Paragraph 7.
- 8. Respondent denies the allegations in Paragraph 8.
- 9. Respondent denies the allegations in Paragraph 9.
- 10. Respondent denies the allegations in Paragraph 10.

AFFIRMATIVE AND OTHER DEFENSES

- 1. Except as expressly admitted or otherwise qualified in this Answer, each and every allegation in the Complaint is denied.
- 2. The Complaint fails to state a claim upon which relief can be granted.
- 3. The claims alleged in the Complaint are barred in whole or in part because the allegations upon which they are based are insufficient to state any violations of the Act.
- 4. Any action taken by Respondent was reasonably necessary for the normal operation of its business and was based on legitimate business reasons and not discriminatory or retaliatory animus.
- 5. Respondent alleges that the Complaint is inappropriate as a matter of law as it fails to identify the relief requested.
- 6. The claims in the Complaint are barred under the doctrines of estoppel and unclean hands.
- 7. (b) (6), (b) (7)(C) claims are barred in whole or in part because the sole proximate cause of any alleged damages are the result of (b) (6), (b) (7)(C) own acts and/or omissions.

8. The claims alleged in the Complaint are barred in whole or in part because they purport to allege what would amount to *de minimis* violations of the Act that would be, if proven, without a remedy that would further the purposes of the Act.

9. The claims alleged in the Complaint are beyond the Regional Director's authority, jurisdiction, and power and are therefore barred in whole or in part because the claims are against public policy and they manifestly disregard the law.

10. To the extent that certain other claims of the Complaint or the allegations of those claims exceed the scope of or are not set forth in the underlying charges and any amendments thereto, recovery on such claims or allegations is barred due to the failure to exhaust administrative remedies.

11. The claims in the Complaint are barred because they are unconstitutionally vague.

12. There is no causal relation between the alleged acts of Respondent and the alleged injury suffered by the (b) (6), (b) (7)(C)

13. Respondent reserves the right to assert additional affirmative, supplemental or other defenses to the Complaint.

WHEREFORE, Respondent respectfully requests that the Administrative Law Judge dismiss the Complaint in its entirety and grant Respondent all other appropriate relief.

Dated: August 4, 2017

Respectfully submitted,

/s/ Steven A. Nigh

Steven A. Nigh

NC Bar No. 51837

LITTLER MENDELSON, P.C.

Bank of America Corporate Center

100 North Tryon Street, Suite 4150

Charlotte, NC 28202

Telephone: 704.972.7005

Facsimile: 704.333.4005

Attorney for Respondent

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 10, SUBREGION 11**

**BRIGHT HORIZONS CHILDREN
CENTERS LLC,**

and

(b) (6), (b) (7)(C), an Individual,

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)
)
)
)
)

Case No. 10-CA-196647

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing Respondent's Answer and Defenses to Complaint with the National Labor Relations Board using the agency's website (www.nlrb.gov).

I also certify that I have served Respondent's Answer and Defenses to Complaint on the following parties to this action:

Scott C. Thompson, Officer-In-Charge
National Labor Relations Board
Subregion 11
4035 University Pkwy, Suite 200
Winston-Salem, NC 27106-3275
Via E-Filing at NLRB.Gov

(b) (6), (b) (7)(C)

Via E-Mail to (b) (6), (b) (7)(C) and Certified Mail, Return Receipt Requested

Dated: August 4, 2017

Respectfully submitted,

/s/ Steven A. Nigh

Steven A. Nigh, NC Bar No. 51837
LITTLER MENDELSON, P.C.
Bank of America Corporate Center
100 North Tryon Street, Suite 4150
Charlotte, NC 28202
Telephone: 704.972.7005
Facsimile: 704.333.4005

Attorney for Respondent

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
10-CA-203824	8/7/17

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Bright Horizons Childrens Center		b. Tel. No. (617)673-8000
		c. Cell No.
d. Address (street, city, state ZIP code) 200 Talcott Ave, Watertown, MA 02472-5705	e. Employer Representative Lori Little Regional Manager	f. Fax No.
		g. e-Mail
		h. Dispute Location (City and State) Greensboro, NC
i. Type of Establishment (factory, nursing home, hotel) Childcare Facility	j. Principal Product or Service Childcare Services	k. Number of workers at dispute location 50

l. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (4) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)
On (b) (6), (b) (7)(C) 2017, the Employer discharged employee (b) (6), (b) (7)(C) because (b) (6), (b) (7)(C) filed Board charges against the Employer, and provided evidence and/or gave testimony to the Board.

3. Full name of party filing charge (if labor organization, give full name, including local name and number) (b) (6), (b) (7)(C)	
4a. Address (street and number, city, state, and ZIP code) (b) (6), (b) (7)(C)	4b. Tel. No.
	4c. Cell No. (b) (6), (b) (7)(C)
	4d. Fax No.
	4e. e-Mail (b) (6), (b) (7)(C)
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
By: (b) (6), (b) (7)(C)	Tel. No.
(sig) (b) (6), (b) (7)(C) person making charge	Office, if any, Cell No. (b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C)	Fax No.
Date: 08/07/17	e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
AMENDED CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
10-CA-203824	

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Bright Horizons Childrens Center		b. Tel. No. (617)673-8000
		c. Cell No.
d. Address (street, city, state ZIP code) 200 Talcott Ave, Watertown, MA 02472-5705	e. Employer Representative Lori Little Regional Manager	f. Fax No.
		g. e-Mail
		h. Dispute Location (City and State) Greensboro, NC
i. Type of Establishment (factory, nursing home, hotel) Childcare Facility	j. Principal Product or Service Childcare Services	k. Number of workers at dispute location 50
l. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (4) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) On (b) (6), (b) (7)(C) 2017, the Employer discharged employee (b) (6), (b) (7)(C) in retaliation for and/or in order to discourage (b) (6), (b) (7)(C) protected concerted activities and/or because (b) (6), (b) (7)(C) filed Board charges against the Employer, and provided evidence and/or gave testimony to the Board.		

3. Full name of party filing charge (if labor organization, give full name, including local name and number)**(b) (6), (b) (7)(C)**

4a. Address (street and number, city, state, and ZIP code) (b) (6), (b) (7)(C)		4b. Tel. No.
		4c. Cell No. (b) (6), (b) (7)(C)
		4d. Fax No.
		4e. e-Mail (b) (6), (b) (7)(C)
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No.
By: (b) (6), (b) (7)(C)		Office, if any, Cell No. (b) (6), (b) (7)(C)
(signature) (b) (6), (b) (7)(C)	Print Name and Title (b) (6), (b) (7)(C)	Fax No.
Address: (b) (6), (b) (7)(C)		e-Mail (b) (6), (b) (7)(C)
Date: 8/15/17		

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 10, SUBREGION 11**

BRIGHT HORIZONS CHILDREN CENTERS LLC

and

Case 10–CA–196647

(b) (6), (b) (7)(C), an Individual

COMPLAINT AND NOTICE OF HEARING

This Complaint and Notice of Hearing is based on a charge filed by (b) (6), (b) (7)(C), an individual. It is issued pursuant to Section 10(b) of the National Labor Relations Act, 29 U.S.C. § 151 et seq. (the Act), and Section 102.15 of the Rules and Regulations of the National Labor Relations Board (the Board) and alleges that Bright Horizons Children Centers LLC (Respondent) has violated the Act as described below.

1.

(b) (6), (b) (7)(C) filed the charge in this proceeding on April 11, 2017, and a copy was served on Respondent by U.S. mail on April 12, 2017.

2.

At all material times, Respondent has been a limited liability corporation with an office and childcare center in Greensboro, North Carolina, and has been engaged in providing childcare and educational services.

3.

In conducting the business operations described above in paragraph 2, Respondent annually derives gross revenues in excess of \$250,000, and annually purchases and receives products, goods, and materials valued in excess of \$5000 directly from points outside the State of North Carolina.

4.

At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act,

5.

(a) At all material times, the following individuals held the positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act and agents of Respondent within the meaning of Section 2(13) of the Act:

(b) (6), (b) (7)(C)
[REDACTED]

—
—
—

(b) (6), (b) (7)(C)
[REDACTED]

(b) (i) At all material times until a date after (b) (6), (b) (7)(C) 2017, the precise date of which is unknown to the General Counsel, (b) (6), (b) (7)(C) held the position of Respondent's (b) (6), (b) (7)(C).

(ii) Since the date after (b) (6), (b) (7)(C) 2017 described above in subparagraph (i), the precise the date of which is unknown to the General Counsel, (b) (6), (b) (7)(C) has been a “management employee” of Respondent.

(iii) At all material times, including about (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), 2017, (b) (6), (b) (7)(C) has been a supervisor of Respondent within the meaning of Section 2(11) of the Act and an agent of Respondent within the meaning of Section 2(13) of the Act.

(c) About (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), 2017, (b) (6), (b) (7)(C) held the position of (b) (6), (b) (7)(C) of Respondent and on those dates was, and at all material times has been, a supervisor of Respondent within the meaning of Section 2(11) of the Act and an agent of Respondent within the meaning of Section 2(13) of the Act.

6.

About (b) (6), (b) (7)(C) 2017, employee (b) (6), (b) (7)(C) solicited support from other employees regarding a workplace safety issue and concertedly complained to Respondent about the workplace safety issue.

7.

About (b) (6), (b) (7)(C) 2017, Respondent disciplined its employee (b) (6), (b) (7)(C).

8.

Respondent engaged in the conduct described above in paragraph 7, because (b) (6), (b) (7)(C) engaged in the conduct described above in paragraph 6, and to discourage employees from engaging in these or other concerted activities.

9.

By the conduct described above in paragraphs 7 and 8, Respondent has been interfering with, restraining and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the complaint. The answer must be **received by this office on or before August 4, 2017, or postmarked on or before August 3, 2017.** Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically through the Agency's website. To file electronically, go to www.nlr.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than two hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a PDF document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a PDF file containing the required signature, then the E-filing rules require that such answer

containing the required signature continue to be submitted to the Regional Office by traditional means within three business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on **at 10:00 a.m. on December 6, 2017, in the Paris Favors Jr. Hearing Room, National Labor Relations Board Subregion 11, 4035 University Parkway, Suite 200, Winston-Salem, North Carolina**, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated: July 21, 2017

Terry R. Combs
Acting Regional Director
National Labor Relations Board
Region 10, by



Scott C. Thompson
Officer-In-Charge
National Labor Relations Board
Subregion 11
4035 University Pkwy Suite 200
Winston Salem, NC 27106-3275

Attachments

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
SETTLEMENT AGREEMENT

IN THE MATTER OF

Bright Horizons Children Centers LLC

**Cases 10-CA-196647,
10-CA-203494, and 10-
CA-203824**

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

POSTING OF NOTICE — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of the Charged Party will then sign and date those Notices and immediately post them in conspicuous locations where notices to employees are customarily posted, including the bulletin board in the employee break room, at its facility located at 1200 N. Elm Street, Greensboro, NC 27401. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting.

E-MAILING NOTICE — The Charged Party will email a copy of the signed Notice in English and in additional languages if the Regional Director decides that it is appropriate to do so, to all employees who work at the facility located at 1200 N Elm Street, Greensboro, NC 27401. The message of the e-mail transmitted with the Notice will state: “We are distributing the Attached Notice to Employees to you pursuant to a Settlement Agreement approved by the Regional Director of Region 10 of the National Labor Relations Board in Cases 10-CA-196647, 10-CA-203494, and 10-CA-203824.” The Charged Party will forward a copy of that e-mail, with all of the recipients’ e-mail addresses, to the Region’s Compliance Officer at jenny.dunn@nrlrb.gov.

COMPLIANCE WITH NOTICE — The Charged Party will comply with all the terms and provisions of the Notice.

NON-ADMISSIONS CLAUSE — By entering into this Agreement the Charged Party does not admit to any violation of the National Labor Relations Act.

BACKPAY — Within 14 days from approval of this agreement, the Charged Party will make whole the employee(s) named below by payment to each of them of the amount opposite each name. The Charged Party will make appropriate withholdings for each named employee. No withholdings should be made from the interest portion of the backpay. The Charged Party will also file a report with the Regional Director allocating the payment(s) to the appropriate calendar year.

(b) (6), (b) (7)(C)

Backpay Wages

\$11,457.60

SOCIAL SECURITY NOTICE TO REGIONAL DIRECTOR — The Charged Party will also file a report with the Regional Director allocating the payments to the appropriate calendar year.

NEUTRAL REFERENCE — Upon request, the Charged Party will provide a neutral job reference limited to the Charging Party's dates of employment and positions held to those who inquire about [REDACTED] employment with the Charged Party.

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case(s), and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to this evidence. By approving this Agreement the Regional Director withdraws any Complaint(s) and Notice(s) of Hearing previously issued in the above case(s), and the Charged Party withdraws any answer(s) filed in response.

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes _____ No _____
 Initials Initials

PERFORMANCE — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director. The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party at all facilities that [REDACTED] (b) (6), (b) (7)(C) manages [as set forth in the attached list of locations], and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will reissue the Order Consolidating Cases and Consolidated Complaint previously issued on November 6, 2017 in the instant cases. Thereafter, the General Counsel may file a Motion for Default Judgment with the Board on the allegations of the consolidated complaint. The Charged Party understands and agrees that the allegations of the aforementioned consolidated complaint will be deemed admitted and its Answer to such consolidated complaint will be considered withdrawn. The only issue that may be raised before the Board is whether the Charged Party defaulted on the terms of this Settlement Agreement. The Board may then, without necessity of trial or any other proceeding, find all allegations of the complaint to be true and make findings of fact and conclusions of law consistent with those allegations adverse to the Charged Party on all issues raised by the pleadings. The Board may then issue an order providing a full remedy for the violations found as is appropriate to remedy such violations. The parties further agree that a U.S. Court of Appeals Judgment may be entered enforcing the Board order ex parte, after service or attempted service upon Charged Party/Respondent at the last address provided to the General Counsel. Notwithstanding the provisions above, no default should be asserted more than six

months after the approval of this Agreement by the Regional Director, except as to violations of Section 8(a)(4) and derivative violations of Section 8(a)(1).

NOTIFICATION OF COMPLIANCE — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. As part of its 60 day report, the Charged Party will provide evidence of the steps it has taken, including copies of relevant documents, to the Compliance Officer. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director’s approval of this agreement. No further action shall be taken in the above captioned cases provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

Charged Party Bright Horizons Children Centers LLC			Charging Party (b) (6), (b) (7)(C)		
By:	Name and Title	Date	By:	Name and Title	Date
/s/ Antonette S. Fernandez	01/02/2018		/s/ (b) (6), (b) (7)(C)	01/02/2018	
Antonette S. Fernandez, Associate General Counsel			(b) (6), (b) (7)(C)		
Print Name and Title below			Print Name and Title below		
Recommended By:			Date		
/s/ Jordan N. Wolfe			01/03/2018		
Jordan N. Wolfe					
Field Attorney					

(To be printed and posted on official Board notice form)

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

YOU HAVE THE RIGHT to discuss wages, hours, and other terms and conditions of employment with other employees and bring your concerns to us, including your concerns regarding employee safety, and **WE WILL NOT** do anything to interfere with your exercise of that right.

WE WILL NOT discipline or discharge you because you raise concerns about wages, hours, and other terms and conditions of employment on behalf of yourself and other employees, including your concerns about employee safety.

YOU HAVE THE RIGHT to file charges with and give testimony, including an affidavit, to the National Labor Relations Board and **WE WILL NOT** do anything to interfere with your exercise of that right.

WE WILL NOT discipline or discharge you because you filed charges with the National Labor Relations Board or because you have given testimony to the National Labor Relations Board.

WE WILL NOT in any like or related manner interfere with your rights under the National Labor Relations Act.

WE WILL pay (b) (6), (b) (7)(C), with interest, for the wages and benefits (b) (6), (b) (7)(C) lost because we discharged (b) (6), (b) (7)(C) does not desire reinstatement and would not accept if offered.

WE WILL remove from our files all references to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) 2017 discipline and **WE WILL** notify (b) (6), (b) (7)(C) in writing that we have done so and that (b) (6), (b) (7)(C) discipline will not be used against (b) (6), (b) (7)(C) in any way.

WE WILL remove from our files all references to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) 2017 placement on administrative leave and **WE WILL** notify (b) (6), (b) (7)(C) in writing that we have done so and that (b) (6), (b) (7)(C) placement on administrative leave will not be used against (b) (6), (b) (7)(C) in any way.

WE WILL remove from our files all references to (b) (6), (b) (7)(C) 2017 discharge and **WE WILL** notify (b) (6), (b) (7)(C) in writing that we have done so and that (b) (6), (b) (7)(C) discharge will not be used against (b) (6), (b) (7)(C) in any way.

CERTIFICATION OF COMPLIANCE
(PART ONE)

RE: **Bright Horizons Children Centers LLC**
Cases 10-CA-196647, et al.

(If additional space is needed to provide a full response, attach a sheet(s) with the necessary information.)

Physical Posting

The signed and dated Notice to Employees in the above matter was posted on

(date) January 11, 2018 at the following locations: (List specific places of posting)
Staff lounge

Electronic Distribution

The signed and dated Notice to Employees in the above captioned matter was distributed electronically on

(date) 1/12/18 by the following means. (State means of distribution and attach proof.)
Sent to email addresses on file for all staff at worksite. Copy of email attached.

I have completed this Certification of Compliance and state under penalty of perjury that it is true and correct.

CHARGED PARTY/RESPONDENT

By:

Nicholas W. Valentine

Title:

Senior Counsel

Date:

1/19/18

This form should be returned to the Regional Office together with ONE original Notice, dated and signed in the same manner as those posted. If the Certification of Compliance Part One and signed Notice is returned via e-file or e-mail, no hard copies of the Certification of Compliance Part One or Notice are required.

CERTIFICATION OF COMPLIANCE
(PART TWO)

RE: Bright Horizons Children Centers LLC
Cases 10-CA-196647, et al.

Backpay

On (date) 1/19/18, the Employer made payment to the employee(s.) named in the Settlement Agreement and/or Notice to Employees in the amounts set forth therein. Proof of payment is attached.

On (date) 1/19/18, the Employer completed the Report to Social Security Administration and submitted it to:

National Labor Relations Board, Region 10
Attn: Compliance Assistant Shawn Watkins
233 Peachtree St NE
Harris Tower Ste. 1000
Atlanta, GA 30303-1504

Expungement of Records

On (date) 1/19/18, the Employer expunged from its records any reference to the discipline, placement on administrative leave and discharge and notified the employee that these will not be used against ^{(b) (6)} in any way. A copy of the letter of expungement is attached.

I have completed this Certification of Compliance and state under penalty of perjury that it is true and correct.

CHARGED PARTY/RESPONDENT

By:

Richard Valentine

Title:

Senior Counsel

Date:

1/19/18

This form should be returned to the Regional Office. If the Certification of Compliance Part Two and signed Notice is returned via e-file or e-mail, no hard copy of the Certification of Compliance Part Two is required.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Bright Horizons Childrens Center LLC		b. Tel. No. (617)673-8000
		c. Cell No.
d. Address (street, city, state ZIP code) 200 Talcott Ave, Watertown, MA 02472-5705	e. Employer Representative Lori Little Regional Manager	f. Fax No.
		g. e-Mail
		h. Dispute Location (City and State) Greensboro, NC
i. Type of Establishment (factory, nursing home, hotel) Childcare Facility	j. Principal Product or Service Childcare Services	k. Number of workers at dispute location 50

l. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (4) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On (b) (6), (b) (7)(C) 2017, the Employer discriminated against employee (b) (6), (b) (7)(C) by placing (b) (6), (b) (7)(C) on administrative leave because the employee filed Board charges against the Employer, and provided evidence and/or gave testimony to the Board.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)	
4a. Address (street and number, city, state, and ZIP code) (b) (6), (b) (7)(C)	4b. Tel. No. (b) (6), (b) (7)(C)
	4c. Cell No.
	4d. Fax No.
	4e. e-Mail (b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No. (b) (6), (b) (7)(C)
By: (b) (6), (b) (7)(C)		Office, if any, Cell No.
(signature) (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) Print Name and Title	Fax No.
Address: (b) (6), (b) (7)(C)	Date: 08/01/17	e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
10-CA-202066	7/10/17

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Bright Horizons Children Centers LLC		b. Tel. No. (617)673-8000
		c. Cell No.
d. Address (street, city, state ZIP code) 200 Talcott Ave, Watertown, MA 02472-5705	e. Employer Representative Lori Little Regional Manager	f. Fax No.
		g. e-Mail
		h. Dispute Location (City and State) Greensboro, NC
i. Type of Establishment (factory, nursing home, hotel) Child Care Facility	j. Principal Product or Service Child Care Services	k. Number of workers at dispute location 50
l. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Within the past six months, the Employer has maintained an overly broad and unlawful confidentiality rule.		

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

4a. Address (street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No.**4c. Cell No.**

(b) (6), (b) (7)(C)

4d. Fax No.**4e. e-Mail**

(b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Tel. No.

(b) (6), (b) (7)(C)

Office, if any, Cell No.
(b) (6), (b) (7)(C)By: (signature) (b) (6), (b) (7)(C)
(signature) on making charge)

(b) (6), (b) (7)(C)

Print Name and Title

Fax No.

Address (b) (6), (b) (7)(C)

Date: 7-6-17

e-Mail

(b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**PRIVACY ACT STATEMENT**

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(b) (6), (b) (7)(C)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
10-CA-200964	06-19-17

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer Bright Horizons Children Centers LLC		b. Tel. No. (617)673-8000
		c. Cell No.
d. Address (street, city, state, ZIP code) 200 Talcott Ave, Watertown, MA 02472-5705	e. Employer Representative Lori Little Regional Manager	f. Fax No.
		g. e-Mail
		h. Dispute Location (City and State) Greensboro, NC
i. Type of Establishment (factory, nursing home, hotel) Child Care Facility	j. Principal Product or Service Child Care Services	k. Number of workers at dispute location 50
<p>1. The above-named employee has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.</p> <p>2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices).</p> <p>On (b) (6), (b) (7)(C) 2017, the Employer suspended employee (b) (6), (b) (7)(C) in retaliation for and/or in order to discourage (b) (6), (b) (7)(C) protected concerted activities.</p>		

3. Full name of party filing charge (if labor organization, give full name, including local name and number) (b) (6), (b) (7)(C)	
4a. Address (street and number, city, state, and ZIP code) (b) (6), (b) (7)(C)	4b. Tel. No.
	4c. Cell No. (b) (6), (b) (7)(C)
	4d. Fax No.
	4e. e-Mail (b) (6), (b) (7)(C)
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief	
By: (b) (6), (b) (7)(C) (signature of person making charge)	Tel. No.
(b) (6), (b) (7)(C) Print Name and Title	Office, if any, Cell No. (b) (6), (b) (7)(C)
	Fax No.
Address: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)	e-Mail (b) (6), (b) (7)(C)
Date: 6/19/17	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes. (b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 11
4035 University Pkwy Ste 200
Winston Salem, NC 27106-3275

Agency Website: www.nlr.gov
Telephone: (336)631-5201
Fax: (336)631-5210

August 18, 2017

Steven A. Nigh, Esq.
Littler Mendelson, P.C.
100 N. Tryon St, Ste 4150
Charlotte, NC 28202-4025

Re: Bright Horizons Children Centers LLC
Case 10-CA-200964

Dear Mr. Nigh:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

John D. Doyle, Jr.
Regional Director

By:

A handwritten signature in black ink, appearing to read "Shannon R. Meares".

Shannon R. Meares
Acting Officer in Charge

cc:

(b) (6), (b) (7)(C)

Lori Little, Regional Manager
Bright Horizons Children Centers LLC
200 Talcott Ave
Watertown, MA 02472-5705

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 29

BRIGHT HORIZONS BROOKLYN CHILDCARE
CENTER

Employer

and
UNITED FEDERATION OF TEACHERS,
LOCAL 2

Case 29-RC-200885

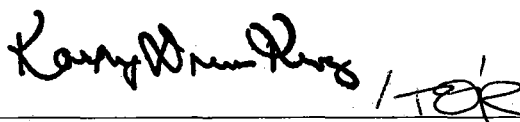
Petitioner

ORDER RESCHEDULING HEARING

IT IS HEREBY ORDERED that the hearing in the above-entitled matter is rescheduled from June 27, 2017 at 9:30 AM to 9:30 AM on **Wednesday, June 28, 2017** at a fifth-floor hearing room, 2 MetroTech Center, 5th Floor, Brooklyn, NY 11201. The hearing will continue on consecutive days until concluded.

The Statement of Position in this matter must be filed with the Regional Director and served on the parties listed on the petition by no later than **noon** Eastern time on **Tuesday, June 27, 2017**. The Statement of Position may be e-Filed but, unlike other e-Filed documents, must be filed by noon Eastern time on the due date in order to be timely. If an election agreement is signed by all parties and returned to the Regional Office before the due date of the Statement of Position, the Statement of Position is not required to be filed.

Dated: June 20, 2017



KATHY DREW-KING
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS BOARD
REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
STIPULATED ELECTION AGREEMENT

Bright Horizons Children's Centers LLC

Case 29-RC-200885

The parties **AGREE AS FOLLOWS:**

1. PROCEDURAL MATTERS. The parties waive their right to a hearing and agree that any notice of hearing previously issued in this matter is withdrawn, that the petition is amended to conform to this Agreement, and that the record of this case shall include this Agreement and be governed by the Board's Rules and Regulations.

2. COMMERCE. The Employer is engaged in commerce within the meaning of Section 2(6) and (7) of the National Labor Relations Act and a question affecting commerce has arisen concerning the representation of employees within the meaning of Section 9(c).

Bright Horizons Children's Centers LLC (the Employer), a limited liability company, with its principle office located at 200 Talcott Avenue South, Watertown, MA, and with a place of business located at 345 Adams Street, Brooklyn, NY, is engaged in the business of providing child daycare services.

Annually, the Employer, in its course and conduct of business operates, derives annual revenues in excess of \$500,000 and purchases and receives goods, supplies and materials in excess of \$5,000, directly from points outside of the State of New York. The Employer is engaged in commerce within the meaning of the Act.

3. LABOR ORGANIZATION. The Petitioner is an organization in which employees participate, and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work and is a labor organization within the meaning of Section 2(5) of the Act.

4. ELECTION. A secret-ballot election under the Board's Rules and Regulations shall be held under the supervision of the Regional Director on the date and at the hours and places specified below.

DATE: July 12, 2017

HOURS: 6:30 a.m. to 8:30 a.m. and
4:30 p.m. to 7:00 p.m.

PLACE: Pantry/Lounge located at the Employer's 345 Adams Street,
Brooklyn, New York location.

If the election is postponed or canceled, the Regional Director, in his or her discretion, may reschedule the date, time, and place of the election.

5. UNIT AND ELIGIBLE VOTERS. The following unit is appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

Included: All full-time and regular part-time teachers and associate teachers.

Excluded: All other employees, including directors, assistant directors, business managers, administrative assistants, guards and supervisors as defined by the Act.

Initials: 

Those eligible to vote in the election are employees in the above unit who were employed during the **payroll period ending June 11, 2017**, including employees who did not work during that period because they were ill, on vacation, or were temporarily laid off.

Employees engaged in any economic strike, who have retained their status as strikers and who have not been permanently replaced are also eligible to vote. In addition, employees engaged in an economic strike which commenced less than 12 months before the election date, who have retained their status as strikers but who have been permanently replaced, as well as their replacements are eligible to vote. Employees who are otherwise eligible but who are in the military services of the United States may vote if they appear in person at the polls.

Ineligible to vote are (1) employees who have quit or been discharged for cause after the designated payroll period for eligibility, (2) employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and (3) employees engaged in an economic strike which began more than 12 months before the election date who have been permanently replaced.

6. VOTER LIST. Within 2 business days after the Regional Director has approved this Agreement, the Employer must provide to the Regional Director and all of the other parties a voter list of the full names, work locations, shifts, job classifications, and contact information (including home addresses, available personal email addresses, and available personal home and cellular telephone numbers) of all eligible voters. The Employer must also include, in a separate section of that list, the same information for those individuals whom the parties have agreed should be permitted to vote subject to challenge. The list must be filed in common, everyday electronic file formats that can be searched. Unless otherwise agreed to by the parties, the list must be provided in a table in a Microsoft Word file (.doc or docx) or a file that is compatible with Microsoft Word (.doc or docx). The first column of the list must begin with each employee's last name and the list must be alphabetized (overall or by department) by last name. The font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. When feasible, the list must be filed electronically with the Regional Director and served electronically on the parties. The Employer must file with the Regional Director a certificate of service of the list on all parties.

7. THE BALLOT. The Regional Director, in his or her discretion, will decide the language(s) to be used on the election ballot. All parties should notify the Region as soon as possible of the need to have the Notice of Election and/or ballots translated.

The question on the ballot will be "Do you wish to be represented for purposes of collective bargaining by "UNITED FEDERATION OF TEACHERS?" The choices on the ballot will be "Yes" or "No"

8. NOTICE OF ELECTION. The Regional Director, in his or her discretion, will decide the language(s) to be used on the Notice of Election. The Employer must post copies of the Notice of Election in conspicuous places, including all places where notices to employees in the unit are customarily posted, at least three (3) full working days prior to 12:01 a.m. of the day of the election. The Employer must also distribute the Notice of Election electronically, if the Employer customarily communicates with employees in the unit electronically. Failure to post or distribute the Notice of Election as required shall be grounds for setting aside the election whenever proper and timely objections are filed. -

9. NOTICE OF ELECTION ONSITE REPRESENTATIVE. The following individual will serve as the Employer's designated Notice of Election onsite representative: Terry McNamara, (718) 488-7770; terrance.mcnamara@brighthorizons.com.

Initials: 

10. ACCOMMODATIONS REQUIRED. All parties should notify the Region as soon as possible of any voters, potential voters, or other participants in this election who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.503, and who in order to participate in the election need appropriate auxiliary aids, as defined in 29 C.F.R. 100.503, and request the necessary assistance.

11. OBSERVERS. Each party may station an equal number of authorized, nonsupervisory-employee observers at the polling places to assist in the election, to challenge the eligibility of voters, and to verify the tally.

12. TALLY OF BALLOTS. Upon conclusion of the election, the ballots will be counted and a tally of ballots prepared and immediately made available to the parties.

13. POSTELECTION AND RUNOFF PROCEDURES. All procedures after the ballots are counted shall conform with the Board's Rules and Regulations.

**BRIGHT HORIZONS CHILDREN'S
CENTERS LLC**

(Employer)

UNITED FEDERATION OF TEACHERS

(Petitioner)

By 1st Thomas Piekara 6/27/17
(Name) (Date)

By [Signature] 6/27/2017
(Name) (Date)

Recommended:

Kareema Alston 6/27/17
KAREEMA ALSTON, Field Examiner
(Date)

Date approved:

6/27/17

[Signature]

Regional Director, Region 29
National Labor Relations Board

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 29**

**BRIGHT HORIZONS CHILDREN'S CENTERS
LLC**

Employer

Case 29-RC-200885

and

UNITED FEDERATION OF TEACHERS

Petitioner

TYPE OF ELECTION: STIPULATED

CERTIFICATION OF REPRESENTATIVE

An election has been conducted under the Board's Rules and Regulations. The Tally of Ballots shows that a collective-bargaining representative has been selected. No timely objections have been filed.

As authorized by the National Labor Relations Board, it is certified that a majority of the valid ballots has been cast for

UNITED FEDERATION OF TEACHERS

and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

Unit:

Included: All full-time and regular part-time teachers and associate teachers.

Excluded: All other employees, including directors, assistant directors, business managers, administrative assistants, guards and supervisors as defined by the Act.



July 20, 2017

KATHY DREW-KING
Regional Director, Region 29
National Labor Relations Board

Attachment: Notice of Bargaining Obligation

NOTICE OF BARGAINING OBLIGATION

In the recent representation election, a labor organization received a majority of the valid votes cast. Except in unusual circumstances, unless the results of the election are subsequently set aside in a post-election proceeding, the employer's legal obligation to refrain from unilaterally changing bargaining unit employees' terms and conditions of employment begins on the date of the election.

The employer is not precluded from changing bargaining unit employees' terms and conditions during the pendency of post-election proceedings, **as long as** the employer (a) gives sufficient notice to the labor organization concerning the proposed change(s); (b) negotiates in good faith with the labor organization, upon request; and (c) good faith bargaining between the employer and the labor organization leads to agreement or overall lawful impasse.

This is so even if the employer, or some other party, files objections to the election pursuant to Section 102.69 of the Rules and Regulations of the National Labor Relations Board (the Board). If the objections are later overruled and the labor organization is certified as the employees' collective-bargaining representative, the employer's obligation to refrain from making unilateral changes to bargaining unit employees' terms and conditions of employment begins on the date of the election, not on the date of the subsequent decision by the Board or court. Specifically, the Board has held that, absent exceptional circumstances,¹ an employer acts at its peril in making changes in wages, hours, or other terms and conditions of employment during the period while objections are pending and the final determination about certification of the labor organization has not yet been made.

It is important that all parties be aware of the potential liabilities if the employer unilaterally alters bargaining unit employees' terms and conditions of employment during the pendency of post-election proceedings. Thus, typically, if an employer makes post-election changes in employees' wages, hours, or other terms and conditions of employment without notice to or consultation with the labor organization that is ultimately certified as the employees' collective-bargaining representative, it violates Section 8(a)(1) and (5) of the National Labor Relations Act since such changes have the effect of undermining the labor organization's status as the statutory representative of the employees. This is so even if the changes were motivated by sound business considerations and not for the purpose of undermining the labor organization. As a remedy, the employer could be required to: 1) restore the status quo ante; 2) bargain, upon request, with the labor organization with respect to these changes; and 3) compensate employees, with interest, for monetary losses resulting from the unilateral implementation of these changes, until the employer bargains in good faith with the labor organization, upon request, or bargains to overall lawful impasse.

¹ Exceptions may include the presence of a longstanding past practice, discrete event, or exigent economic circumstance requiring an immediate response.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
10-CA-196647	04-11-2017

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer Bright Horizon Family Solutions (contracted by Mose's Cone Health Services - The Childrens Corner - Greensboro NC)	b. Tel. No. (617)673-8000	c. Cell No.
d. Address (street, city, state ZIP code) 200 Talcott Ave, Watertown, MA 02472-5705	e. Employer Representative Lori Little Regional Manager	f. Fax No.
		g. e-Mail
		h. Dispute Location (City and State) Greensboro, NC
i. Type of Establishment (factory, nursing home, hotel) Child Care Facility	j. Principal Product or Service Child Care Services	k. Number of workers at dispute location 50
<p>1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.</p> <p>2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) On or about (b) (6), (b) (7)(C) 2017, the above-named Employer, through (b) (6), (b) (7)(C) disciplined employee (b) (6), (b) (7)(C) because of and/or in order to discourage (b) (6), (b) (7)(C) protected concerted activities. The Employer violated the contractual agreement established through the "Bright Horizons Family Employee Handbook." The discipline (in OPF) was also arbitrary, capricious, and violated Bright Horizons' commitment to provide a safe work environment free of unlawful harassment and discrimination. Specifically, "Disciplinary Action" as outlined on pages 12 and 13 of the handbook referenced, and discrimination under the "complaint process" and "retaliation process" as outlined on pages 22 and 23 of the handbook. Where the employee registered a complaint of discrimination to (b) (6), (b) (7)(C) on (b) (6), (b) (7)(C) 2017, because (b) (6), (b) (7)(C) failed to notify the employee and (b) (6), (b) (7)(C) class on the playground (left them in harm's way) that all Moses Cone Hospital buildings on premises were in lock down protocol because a bomb threat had been received earlier that day by the hospital.</p>		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) (b) (6), (b) (7)(C)		
4a. Address (street and number, city, state, and ZIP code) (b) (6), (b) (7)(C)	4b. Tel. No. (b) (6), (b) (7)(C)	4c. Cell No.
	4d. Fax No.	
	4e. e-Mail (b) (6), (b) (7)(C)	
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No. (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)		Office, if any, Cell No.
(b) (6), (b) (7)(C)		Fax No.
(b) (6), (b) (7)(C)		e-Mail (b) (6), (b) (7)(C)
Date: 4/11/17		

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information (b) (6), (b) (7)(C) NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 10
233 Peachtree St NE
Harris Tower Ste 1000
Atlanta, GA 30303-1504

Agency Website: www.nlrb.gov
Telephone: (404)331-2896
Fax: (404)331-2858

March 20, 2018

Steven A. Nigh, Esquire
Littler Mendelson, P.C.
100 North Tryon Street
Suite 4150
Charlotte, NC 28202-4025

Jeffrey Dilger, Esquire
Littler Mendelson, P.C.
80 South 8th Street
Suite 1300
Minneapolis, MN 55402-2136

Re: Bright Horizons Children Centers LLC
Cases 10-CA-196647, 10-CA-203494 and
10-CA-203824

Dear Mr. Nigh and Mr. Dilger:

The above-captioned cases have been closed on compliance. Please note that the closing is conditioned upon continued observance of the informal Settlement Agreement.

Very truly yours,

John D. Doyle, Jr.
Regional Director

cc:

(b) (6), (b) (7)(C)

Lori Little, Regional Manager
Bright Horizons Children Centers LLC
200 Talcott Avenue
Watertown, MA 02472-5705

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
30-CA-099968	MARCH 8, 2013

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer BRIGHT DAYS LEARNING CENTER and its parent company BRIGHT HORIZONS FAMILY SOLUTIONS		b. Tel. No. (262)548-2600
d. Address (street, city, state ZIP code) 2240 GOLF RD, PEWAUKEE, WI 53072-5548 and 200 TALCOTT AVENUE SOUTH WATERTOWN, MA 02472		c. Cell No.
e. Employer Representative Charlotte Valdez, Director		f. Fax No.
		g. e-Mail
		h. Dispute Location (City and State) Pewaukee, WI
i. Type of Establishment (factory, nursing home, hotel) daycare center	j. Principal Product or Service childcare	k. Number of workers at dispute location 35 at Bright Days Learning Center
<p>1. The above-named employer has engaged in and is engaging unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.</p> <p>2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)</p> <p>Since a date within the last six months, the above-named Employers, by their officers, agents and representatives, have maintained at the Pewaukee, Wisconsin facility and nation-wide, an employee handbook, and have required employees to sign an Employee Handbook Acknowledgement Statement, both of which contain overbroad policies, rules and/or regulations that unlawfully infringe on employees' Section 7 rights.</p> <p>Since a date within the last six months, the above-named Employers, by their officers, agents and representatives, have maintained at the Pewaukee, Wisconsin facility and nation-wide, an overbroad Policy on Social Networking that unlawfully infringes on employees' Section 7 rights.</p>		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) AFSCME COUNCIL 40, AFL-CIO		
4a. Address (street and number, city, state, and ZIP code) 609 W WALWORTH ST, ELKHORN, WI 53121-1514		4b. Tel. No. (262)745-8178
		4c. Cell No. (262) 745-8178
		4d. Fax No. (608) 836-4444
		4e. e-Mail mburpee@afscme40.org
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) American Federation of State County and Municipal Employees		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No. (262)745-8178
By: Mary Burpee (signature of representative or person making charge)	Mary Burpee, Organizer/Staff Representative Print Name and Title	Office, if any, Cell No. (262) 745-8178
Address: 609 W WALWORTH ST, ELKHORN, WI 53121-1514	Date: 3/8/2013	Fax No. (608) 836-4444
		e-Mail mburpee@afscme40.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

1-775846817



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 30
310 W WISCONSIN AVE
STE 450W
MILWAUKEE, WI 53203-2281

Agency Website: www.nlr.gov
Telephone: (414)297-3861
Fax: (414)297-3880

July 2, 2013

LINDA R. CARLOZZI, ESQ.
JACKSON LEWIS LLP
666 3RD AVE
29TH FLOOR
NEW YORK, NY 10017-4016

Re: BRIGHT DAYS LEARNING CENTER
and its parent company BRIGHT
HORIZONS FAMILY SOLUTIONS
Case 30-CA-099968

Dear Ms. Carlozzi:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Benjamin Mandelman

BENJAMIN MANDELMAN
Acting Regional Director

cc: MARY BURPEE, ORGANIZER
AFSCME COUNCIL 40, AFL-CIO
609 W WALWORTH ST
ELKHORN, WI 53121-1514

CHARLOTTE VALDEZ, FLD. DIR.
BRIGHT DAYS LEARNING CENTER,
SUBSIDIARY OF BRIGHT HORIZONS
FAMILY SOLUTIONS
2240 GOLF RD
PEWAUKEE, WI 53072-5548

BRIGHT HORIZONS FAMILY SOLUTIONS
200 TALCOTT AVE
WATERTOWN, MA 02472-5705

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

FORM EXEMPT UNDER 44 U.S.C 3512

DO NOT WRITE IN THIS SPACE

Case

30-CA-095895

Date Filed

JANUARY 7, 2013

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Bright Days Learning Center, subsidiary of Bright Horizons	b. Tel. No. 262-548-2600
	c. Cell No.
	f. Fax No.
d. Address (Street, city, state, and ZIP code) 2240 Golf Road Pewaukee, WI 53072	e. Employer Representative Charlotte Valdez, Field Director
	g. e-Mail
	h. Number of workers employed 35
i. Type of Establishment (factory, mine, wholesaler, etc.) Child Care Center for infants, toddlers, pre-school	j. Identify principal product or service Education and services to children.
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 8 (a) subsection (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act; or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) The employer terminated a long-time employee, (b) (6), (b) (7)(C), who is involved in an organizing campaign with this employer's workers. The employer observed said employee in a lengthy conversation with an individual with a known background of union work and then slowly began harassing said employee by building minor infractions against said employee. (b) (6), (b) (7)(C) was also involved in an earlier unsuccessful attempt to organize these workers in 2008. The employer also recently began questioning employees about their knowledge of workers having meetings with "outside" parties. This (b) (6), (b) (7)(C) employee believes (b) (6), (b) (7)(C) was terminated, in spite of an overall good work record, for suspicion of union organizing activity.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Mary Burpee, Organizer, AFSCME Council 40, AFL-CIO	
4a. Address (Street and number, city, state, and ZIP code) 8033 Excelsior Dr., Suite B Madison WI 53717-2900	4b. Tel. No. 608-836-4040 4c. Cell No. 262-745-8178 4d. Fax No. 608-836-4444 4e. e-Mail mburpee@afscme40.org
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) The American Federation of State, County and Municipal Employees, AFL-CIO	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. By <u>Mary Burpee</u> Mary Burpee, Organizer (signature of representative or person making charge) (Print/type name and title or office, if any) Address 609 W. Walworth St., Elkhorn WI 53121 1-3-2013 (date)	
Tel. No. 262-745-8178 Office, if any, Cell No. Fax No. e-Mail mburpee@afscme40.org	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Form NLRB - 501 (2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

FIRST AMENDED CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
30-CA-095895	FEBRUARY 14, 2013

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer BRIGHT DAYS LEARNING CENTER, SUBSIDIARY OF BRIGHT HORIZONS		b. Tel. No. (262)548-2600
d. Address (street, city, state ZIP code) 2240 GOLF RD, PEWAUKEE, WI 53072-5548		c. Cell No.
e. Employer Representative CHARLOTTE VALDEZ		f. Fax No.
		g. e-Mail
		h. Dispute Location (City and State) Pewaukee, WI
i. Type of Establishment (factory, nursing home, hotel) Daycare center	j. Principal Product or Service childcare	k. Number of workers at dispute location 35

1. The above-named employer has engaged in and is engaging unfair labor practices within the meaning of section 8(a), subsections (1) and (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On the dates set forth below, the above-named Employer, by its officers, agents and representatives, discriminatorily issued discipline to employee (b) (6), (b) (7)(C) in retaliation for her union and/or protected concerted activities.

(b) (6), (b) (7)(C) 2012

(b) (6), (b) (7)(C) 2012

(b) (6), (b) (7)(C) 2012

On (b) (6), (b) (7)(C) 2012, the above-named Employer, by its officers, agents and representatives, discriminatorily placed (b) (6), (b) (7)(C) on administrative leave in retaliation for (b) (6) union and/or protected concerted activities.

On or about (b) (6), (b) (7)(C) 2012, the above-named Employer terminated employee (b) (6), (b) (7)(C) in retaliation for (b) (6) union and/or protected concerted activities. (continued on next page)

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

AFSCME, COUNCIL 40

4a. Address (street and number, city, state, and ZIP code)

609 W WALWORTH ST, ELKHORN, WI 53121-1514

4b. Tel. No.
(608)836-40404c. Cell No.
(262)745-81784d. Fax No.
(608)836-44444e. e-Mail
mburpee@afscme40.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

(f) DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By:

MARY BURPEE

(signature of representative or person making charge)

Print Name and Title

Address: 609 W WALWORTH ST, ELKHORN, WI 53121-1514

Date:

2-13-2013

Tel. No.

(608)836-4040

Office, if any, Cell No.

(262)745-8178

Fax No.

(608)836-4444

e-Mail

mburpee@afscme40.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to involve its processes.

RECEIVED
NLRB
2013 FEB 14 PM 1:27
PEWAUKEE WI
REGION 30

Continued:

On or about (b) (6), (b) (7)(C), 2012, the above-named Employer, by (b) (6), (b) (7)(C) issued an overly broad direction to employees not to have contact with other employees regarding a disciplinary matter, which interfered with, restrained or coerced employees in the exercise of the rights guaranteed under Section 7 of the Act.

In an evaluation of employee (b) (6), (b) (7)(C) dated (b) (6), (b) (7)(C) 2012, and titled "Growth and Learning Process: Goal Setting", the Employer, by (b) (6), (b) (7)(C), made overly broad statements that interfered with, restrained and coerced employees in the exercise of the rights guaranteed under Section 7 of the Act, including the following:

- (a) "Go to admin with questions, comments, concerns – when situations arise or policies are introduced that (b) (6), (b) (7)(C) doesn't agree with, (b) (6), (b) (7)(C) should bring these concerns to admin."
- (b) (b) (6), (b) (7)(C) should seek professionally represent BH to parents – (b) (6), (b) (7)(C) will support BH decisions and policies and philosophies."
- (c) "Issues should be raised directly to person involved or member of admin – (b) (6), (b) (7)(C) should speak directly to the person (b) (6), (b) (7)(C) has an issue with or bring (b) (6), (b) (7)(C) concern to admin."

On page 2 of an evaluation of (b) (6), (b) (7)(C) dated (b) (6), (b) (7)(C) 2012, the Employer, by (b) (6), (b) (7)(C), made overly broad statements that interfered with, restrained or coerced employees in the exercise of the rights guaranteed under Section 7 of the Act, including the following:

- (a) "Often times the lines of professionalism are blurred and (b) (6), (b) (7)(C) shares (b) (6), (b) (7)(C) unhappiness regarding the center with parents."
- (b) "When (b) (6), (b) (7)(C) has a problem, concern, question, I would like to see (b) (6), (b) (7)(C) go to the appropriate person."
- (c) "I would also like to see (b) (6), (b) (7)(C) stand behind BH and decisions made at the center level. When there is a difference of opinion/views, use the proper channels to express this."

On or about (b) (6), (b) (7)(C) 2012, the Employer, by (b) (6), (b) (7)(C), presented employee (b) (6), (b) (7)(C) with a Separation Agreement and General Release, which contained overly broad statements that interfered with, restrained and coerced employees in the exercise of the rights guaranteed under Section 7 of the Act, including paragraph 5 of the Release.

On or about (b) (6), (b) (7)(C) 2012, the Employer, by (b) (6), (b) (7)(C), presented employee (b) (6), (b) (7)(C) with a Release, which in paragraph 4 impermissibly restricted employees' access to full redress before the NLRB and other governmental agencies.

RECEIVED
NLRB
2013 FEB 14 PM 1:17
MILWAUKEE, WI
REGION 30

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

SECOND AMENDED CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
30-CA-095895	FEBRUARY 22, 2013

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer BRIGHT DAYS LEARNING CENTER, SUBSIDIARY OF BRIGHT HORIZONS		b. Tel. No. (262)548-2800
d. Address (street, city, state ZIP code) 2240 GOLF RD, PEWAUKEE, WI 53072-5548	e. Employer Representative CHARLOTTE VALDEZ	c. Cell No.
		f. Fax No.
		g. e-Mail
i. Type of Establishment (factory, nursing home, hotel) daycare center	j. Principal Product or Service childcare	h. Dispute Location (City and State) Pewaukee, WI
		k. Number of workers at dispute location 35

1. The above-named employer has engaged in and is engaging unfair labor practices within the meaning of section 8(a), subsections (1) and (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

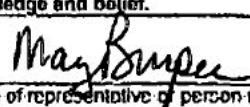
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On or about the dates set forth below, the above-named Employer, by its officers, agents and representatives, discriminatorily issued discipline to employees (b) (6), (b) (7)(C) in retaliation for (b) (6) union and/or protected concerted activities:

(b) (6), (b) (7)(C) 2012
(b) (6), (b) (7)(C) 2012
(b) (6), (b) (7)(C) 2012

Since about October 2012, the above-named Employer, by its officers, agents and representatives, has interfered with, restrained and coerced employees in the exercise of their rights guaranteed in Section 7 of the Act by engaging in surveillance of employees.

(continued on next page)

3. Full name of party filing charge (if labor organization, give full name, including local name and number) AFSCME, COUNCIL 40		RECEIVED NLRB 2013 FEB 22 PM 2:05 PEWAUKEE, WI REGION 30
4a. Address (street and number, city, state, and ZIP code) 609 W WALWORTH ST, ELKHORN, WI 53121-1514	4b. Tel. No. (608)836-4040	
	4c. Cell No. (262)745-8178	
	4d. Fax No. (608)836-4444	
	4e. e-Mail mburpee@afscme40.org	
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No. (608)836-4040
By: 	MARY BURPEE	Office, if any, Cell No. (262)745-8178
(signature of representative of person making charge)	Print Name and Title	Fax No. (608)836-4444
Address: 609 W WALWORTH ST, ELKHORN, WI 53121-1514	Date: 2/22/2013	e-Mail mburpee@afscme40.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Since about September 2012, the above-named Employer, by its officers, agents and representatives, has interfered with, restrained and coerced employees in the exercise of their rights guaranteed in Section 7 of the Act by interrogating employees.

On or about (b) (6), (b) (7)(C) 2012, the above-named Employer, by its officers, agents and representatives, discriminatorily placed (b) (6), (b) (7)(C) on administrative leave in retaliation for (b) (6), (b) (7)(C) union and/or protected concerted activities.

On or about (b) (6), (b) (7)(C) 2012, the above-named Employer, by its officers, agents and representatives, terminated employee (b) (6), (b) (7)(C) in retaliation for (b) (6), (b) (7)(C) union and/or protected concerted activities.

On or about November 21, 2012, the Employer, by (b) (6), (b) (7)(C), issued an overly broad direction to employees not to have contact with other employees regarding a disciplinary matter, which interfered with, restrained and coerced employees in the exercise of the rights guaranteed under Section 7 of the Act;

In an evaluation of employee (b) (6), (b) (7)(C) dated (b) (6), (b) (7)(C) 2012, and titled "Growth and Learning Process: Goal Setting", the Employer, by (b) (6), (b) (7)(C), made overly broad statements that interfered with, restrained and coerced employees in the exercise of the rights guaranteed under Section 7 of the Act, including the following:

- (a) "Go to admin with questions, comments, concerns – when situations arise or policies are introduced that (b) (6), (b) (7)(C) doesn't agree with, (b) (6), (b) (7)(C) should bring these concerns to admin."
- (b) (b) (6), (b) (7)(C) should professionally represent BH to parents – (b) (6), (b) (7)(C) will support BH decisions and policies and philosophies."
- (c) "Issues should be raised directly to person involved or member of admin – (b) (6), (b) (7)(C) should speak directly to the person (b) (6), (b) (7)(C) has an issue with or bring (b) (6), (b) (7)(C) concern to admin."

On page 2 of an evaluation of employee (b) (6), (b) (7)(C) dated (b) (6), (b) (7)(C) 2012, the Employer, by (b) (6), (b) (7)(C); made overly broad statements that interfered with, restrained and coerced employees in the exercise of the rights guaranteed under Section 7 of the Act, including the following:

- (a) "Often times the lines of professionalism are blurred and (b) (6), (b) (7)(C) shares (b) (6), (b) (7)(C) unhappiness regarding the center with parents."
- (b) "When (b) (6), (b) (7)(C) has a problem, concern, question, I would like to see (b) (6), (b) (7)(C) go to the appropriate person."
- (c) "I would also like to see (b) (6), (b) (7)(C) stand behind BH and decisions made at the center level. When there is a difference of opinion/views, use the proper channels to express this."

On or about (b) (6), (b) (7)(C) 2012, the Employer, by (b) (6), (b) (7)(C), presented employee (b) (6), (b) (7)(C) with a Separation Agreement and General Release (Release), which contained overly broad statements that interfered with, restrained and coerced employees in the exercise of the rights guaranteed under Section 7 of the Act, including paragraph 5 of the Release.

On or about (b) (6), (b) (7)(C) 2012, the Employer, by (b) (6), (b) (7)(C), presented employee (b) (6), (b) (7)(C) with the Release, which in paragraph 4 impermissibly restricted employee Falasco's access to full redress before the National Labor Relations Board (NLRB) and other governmental agencies.

RECEIVED
NLRB
JAN 22 PM 2:05
MILWAUKEE, WI
JAN 30



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 30
310 W WISCONSIN AVE
STE 700W
MILWAUKEE, WI 53203-2281

Agency Website: www.nlr.gov
Telephone: (414)297-3861
Fax: (414)297-3880

March 28, 2013

LINDA R. CARLOZZI, ESQ.
JACKSON LEWIS LLP
666 3RD AVE
29TH FLOOR
NEW YORK, NY 10017-4016

Re: Bright Days Learning Center, subsidiary of
Bright Horizons
Case 30-CA-095895

Dear Ms. Carlozzi:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Irving E. Gottschalk

IRVING E. GOTTSCHALK
Regional Director

cc: MARY BURPEE, ORGANIZER
AFSCME COUNCIL 40, AFL-CIO
609 W WALWORTH ST
ELKHORN, WI 53121-1514

CHARLOTTE VALDEZ, FIELD DIRECTOR
BRIGHT DAYS LEARNING CENTER,
SUBSIDIARY OF BRIGHT HORIZONS
FAMILY SOLUTIONS
2240 GOLF RD
PEWAUKEE, WI 53072-5548

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

1-CA-45670

Date Filed

9/25/09

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer

Bright Horizons

b. Tel. No.

617-367-2093

c. Cell No.

f. Fax No.

617-367-0870

g. e-Mail

h. Number of workers employed

Approx 100

d. Address (Street, city, state, and ZIP code)

100 Cambridge Street, Suite 100
Boston, MA 02114

e. Employer Representative

Deborah Davis
Director

i. Type of Establishment (factory, mine, wholesaler, etc.)

Day Care / Preschool

j. Identify principal product or service

Day Care / Education

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) _____ of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On about (b) (6), (b) (7)(C) 2009, the above named Employer discharged its employee, (b) (6), (b) (7)(C) because of (b) (6), (b) (7)(C) protected concerted activity.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

4b. (b) (6), (b) (7)(C)

4c. Cell No.

4d. Fax No.

4e. e-Mail (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief

(b) (6), (b) (7)(C)

By

An Individual

(Print/type name and title or office, if any)

(b) (6), (b) (7)(C)

9/25/09
(date)

To (b) (6), (b) (7)(C)

Office, if any, Cell No.

Fax No.

e-Mail (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Address

WILL

AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
Region 1 Boston, Massachusetts
10 Causeway Street, 6th Floor
Boston, MA 02222-1072
(617) 565-6700

July 30, 2021

Mr. Howard Bloom, Esq.
Jackson Lewis LLP
75 Park Plaza, 4th Floor
Boston, MA 02116

Re: Bright Horizons
Case 1-CA-45670

Dear Mr. Bloom:

This is to advise you that the Charge in the above matter has, with my approval, been withdrawn without prejudice.

Very truly yours,

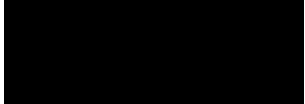
/s/ Rosemary Pye

Rosemary Pye
Regional Director

cc:

Ms. Deborah Davis, Director
Bright Horizons
100 Cambridge Street, Suite 104
Boston, MA 02114

(b) (6), (b) (7)(C)

A large black rectangular redaction box covers the bottom portion of the document, obscuring any text that might have been present.